

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Spencer Ruch,

Plaintiff,

v.

Case No. 1:19cv430

Duke Energy Ohio, Inc.,

Judge Michael R. Barrett

Defendant.

**ORDER**

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on August 2, 2021 (Doc. 19).

Proper notice has been given to the parties under 28 U.S.C. ' 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the R&R in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 19) have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 19) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, the Complaint (Doc.1) is **DISMISSED with PREJUDICE** for failure to prosecute his case.

**IT IS SO ORDERED.**

s/Michael R. Barrett  
Michael R. Barrett, Judge  
United States District Court